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Mail Stop Amendment, Commissioner for Patents  
P.O. Box 1450, Alexandria, Virginia 22313-1450  
on September 18, 2006

Date of Deposit

Jasper W. Dockrey, Reg. No. 33,868

Name of applicant, assignee or  
Registered Representative

Signature

September 18, 2006

Date of Signature

Case No. 1391/1555 (MAGBAR 01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAXWELL et al.

Serial No.: 10/606,671

Filing Date: June 25, 2003

For: BREATH FRESHENING AND ORAL  
CLEANSING PRODUCT WITH MAGNOLIA  
BARK EXTRACT

Examiner: Ruth A. Davis

Group Art Unit No.: 1761

FIFTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§ 1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite Supplementary Partial European Search Report which identifies the following references:

U.S. REFERENCES

DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	NAME
6,923,981	08/02/2005	Leung et al.

**FOREIGN PATENT DOCUMENTS**

<b>DOCUMENT NUMBER</b> <small>Number/Kind Code (if known)</small>	<b>DATE</b>	<b>COUNTRY</b>
CN 1094895	11/16/1994	
WO 02091848	11/21/2002	PCT

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

Supplementary Partial European Search Report for Application No. EP 032 74 2198 dated March 29, 2006

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). The references listed in the cited Supplementary Partial European Search Report were previously cited by the Applicants in their IDS of June 25, 2003. The cited U.S. Patent No. 6,923,981 is the issued U.S. patent from U.S. Patent Publication No. 2001/002296.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Since all of the references cited in the attached Supplementary Partial European Search Report were previously cited, Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

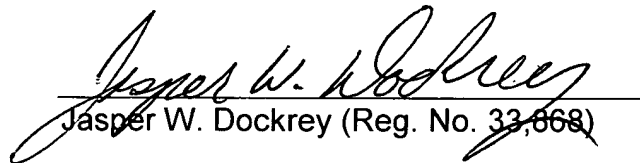
**Statement of Correction in the Fourth Information Disclosure Statement**

In their previous Information Disclosure Statement of March 29, 2006, the applicants stated that pursuant to 37 C.F.R. §1.97(e)(2) "no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 C.F.R. §1.56(c), more than three months prior to the filing of this Statement." After further investigation, the undersigned attorney has learned that several of the cited references were known to the applicants through prosecution of a

co-pending patent application more than three months prior to March 20, 2006. Accordingly, the applicants submit herewith the fee under 37 C.F.R. §1.17(p).

The co-pending application referred to above is U.S. Patent Application No. 10/604,928, filed August 27, 2003 and titled "BREATH FRESHENING AND ORAL CLEANSING PRODUCT USING CARDAMOM OIL, attorney docket number 1391-1602. This co-pending application was asserted by the Examiner in a double patenting rejection in the Office Action of June 20, 2005. Accordingly, the Examiner is presumed to have already reviewed this application for relevance to instant application.

Respectfully submitted,

  
Jasper W. Dockrey (Reg. No. 33,668)

Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200



FOURTH SUPPLEMENTAL FORM PTO-1449	SERIAL NO. 10/606,671	CASE NO. 1391/1555 (MAGBAR01)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE June 25, 2003	GROUP ART UNIT 1761
APPLICANTS: MAXWELL et al.		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	F1	6,923,981	08/02/2005	Leung et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	F2	CN 1094895	11/15/1994	PCT		Yes
	F3	WO 02091848	11/21/2002	PCT		Yes

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume/issue number(s), publisher, city and/or country where published.)</small>	
	F4	Supplementary Partial European Search Report for Application No. EP 032 74 2198 dated March 29, 2006

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.